

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
CLARKSBURG**

**UNITED STATES OF AMERICA ex rel.
JOSEPH SEIKEL and TERENCE SEIKEL,**

Plaintiffs-Relators,

v.

**Civil Action No.: 1:23-CV-1
(JUDGE KLEEH)**

**DAVID B. ALVAREZ,
APPLIED CONSTRUCTION SOLUTIONS, INC.,
ENERGY TRANSPORTATION, LLC,
ENERGY RESOURCE GROUP, LLC,
ET360, LLC,
BEAR CONTRACTING, LLC,
BEAR UTILITIES, LLC,
JASON P. HENDERSON, and
JOHN DOES NOS. 1-50,**

Defendants.

ORDER RESULTING FROM STATUS CONFERENCE

The undersigned convened a status conference, by videoconference, on November 1, 2023, at which appeared Anthony Majestro, Will Powers, and Kenny Capesius for Plaintiffs Joseph Seikel and Terence Seikel; Patricia Kipnis and Rebecca Pomeroy for Defendants David B. Alvarez, Applied Construction Solutions, Inc., Energy Transportation, LLC; and Shawn Morgan for Defendants Jason P. Henderson, Energy Resource Group, LLC, and ET360, LLC.

On September 19, 2023, the undersigned entered an order [ECF No. 112] concerning the matters referred by the Hon. Thomas S. Kleeh, Chief United States District Judge [ECF Nos. 103, 111]. It appears that the parties have begun the discovery process. The issue raised at the status conference was a matter of extending the scheduled period for discovery. The parties further indicated that they are agreeable to an extension, however, the issue remains regarding the length of an extension. The parties informed the undersigned that a met and confer is scheduled for this

Friday, November 3, 2023 to determine if the parties can agree to an appropriate extension of the discovery schedule. The undersigned advised that if the parties are unable to do so, the parties should file a motion to extend the time for discovery with the District Judge. If the parties are able to agree upon an extension of time, it would be subject to the approval of the District Judge.

It is all so **ORDERED**.

The Clerk of the Court is **DIRECTED** to provide a copy of this Order to any parties who appear *pro se* and all counsel of record, as provided in the Administrative Procedures for Electronic Case Filing in the United States District Court for the Northern District of West Virginia.

DATED: November 1, 2023.



MICHAEL JOHN ALOP
UNITED STATES MAGISTRATE JUDGE